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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,715	06/01/2001	Thomas James Dubil	US 018067	4254

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EXAMINER

ZHOU, TING

ART UNIT PAPER NUMBER

2173

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/872,715

Applicant(s)

DUBIL ET AL.

Examiner

Ting Zhou

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed on 22 March 2004 have been received and entered. Claims 1-10 as amended are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii U.S. Patent 6,229,532 and Kunkel et al. U.S. Patent 5,961,603.

Referring to claim 1, Fujii teaches a remote control apparatus (column 3, lines 41 and Figure 1(b)). Specifically, Fujii teaches a user interface to enable the retrieval of an electronic document (web site associated with selectable combinations of URLs) from a data network, the apparatus being programmable with the URL of the document, as recited in column 2, lines 1-26 and column 3, lines 55-67. However, Fujii fails to explicitly teach the URL of the electronic document being stored as a contiguous string of data in the apparatus. Kunkel et al. teach a system for accessing information from the Internet through a network such as television (Kunkel et al.: column 1, lines 44-48) similar to that of Fujii. In addition, Kunkel et al. further teach the URL of the electronic document is stored as a contiguous string of data in the apparatus (the URL, which is a continuous string of data, associated with particular Internet information the

user wishes to access is stored in the database) (Kunkel et al.: column 2, lines 28-54). It would have been obvious to one of ordinary skill in the art, having the teachings of Fujii and Kunkel et al. before him at the time the invention was made, to modify the user interface for retrieving electronic information of Fujii to include the storing of an entire URL address, taught by Kunkel et al. One would have been motivated to make such a combination in order to reduce the access time associated with obtaining electronic information.

Referring to claim 2, Fujii teaches the user interface comprising a button ("URL" button shown by reference character "134" in Figure 1(b)) for initiating the retrieval of the electronic document, as recited in column 3, lines 41-49.

Referring to claim 3, Fujii teaches verifying the programming of the URL by a visual feedback mechanism via highlighting the current cursor position of the programmed URL field (column 5, lines 38-42 and lines 58-61).

Referring to claim 4, Fujii teaches a data processing system for access to a data network comprising a piece of equipment with network access and a remote control apparatus (shown in Figure 1(a)) to initiate accessing a document (web site) on the network with a predetermined URL upon user request, wherein the piece of equipment is programmable with regard to the predetermined URL (column 3, lines 55-67, column 4, lines 21-27 and column 6, lines 50-67). However, Fujii fails to explicitly teach the URL of the electronic document being stored as a contiguous string of data in the apparatus. Kunkel et al. teach a system for accessing information from the Internet through a network such as television (Kunkel et al.: column 1, lines 44-48) similar to that of Fujii. In addition, Kunkel et al. further teach the URL of the electronic document is stored as a contiguous string of data in the apparatus (the URL, which is a

continuous string of data, associated with particular Internet information the user wishes to access is stored in the database) (Kunkel et al.: column 2, lines 28-54). It would have been obvious to one of ordinary skill in the art, having the teachings of Fujii and Kunkel et al. before him at the time the invention was made, to modify the user interface for retrieving electronic information of Fujii to include the storing of an entire URL address, taught by Kunkel et al. One would have been motivated to make such a combination in order to reduce the access time associated with obtaining electronic information.

Referring to claim 5, Fujii teaches user interaction (user input) with the set-top box (STB) to enter the predetermined URL, as recited in column 7, lines 43-46.

Referring to claim 6, Fujii teaches third party interaction with the STB based on user-profile (user preferences), as recited in column 6, lines 50-67 and continuing onto column 7, lines 1-5.

Referring to claim 7, Fujii teaches software residing on a remote control apparatus (user interface on a set-top box) wherein the software (interface) allows the selection of at least one URL with a shortcut key ("URL" button) and wherein the URL is programmable (building URLs from the URL menu), as recited in column 2, lines 15-26, column 3, lines 55-67 and column 4, lines 41-44. However, Fujii fails to explicitly teach the URL of the electronic document being stored as a contiguous string of data in the apparatus. Kunkel et al. teach a system for accessing information from the Internet through a network such as television (Kunkel et al.: column 1, lines 44-48) similar to that of Fujii. In addition, Kunkel et al. further teach the URL of the electronic document is stored as a contiguous string of data in the apparatus (the URL, which is a continuous string of data, associated with particular Internet information the user wishes to

access is stored in the database) (Kunkel et al.: column 2, lines 28-54). It would have been obvious to one of ordinary skill in the art, having the teachings of Fujii and Kunkel et al. before him at the time the invention was made, to modify the software for selecting URLs to retrieve electronic information of Fujii to include the storing of an entire URL address, taught by Kunkel et al. One would have been motivated to make such a combination in order to reduce the access time associated with obtaining electronic information.

Referring to claim 8, Fujii teaches a client-server configuration wherein the server (reference character "110" in Figure 1(a)) provides user-access to a list of information items (fields of URLs) (column 3, lines 62-66) and the client (user) is enabled to interact with the server and make selections wherein the selections are programmable on at least one button of a client interface, as recited in column 3, lines 55-67 and continuing onto column 4, lines 1-2. Furthermore, Fujii teaches the client interface (user interface) comprising network access to the server through the communication line shown in Figure 1 and at least one button ("URL button") programmable to initiate accessing a document on the network with a pre-determined URL upon user selection, via the server, wherein the server stores the pre-determined URL, as recited in column 2, lines 1-26 and column 3, lines 41-49. However, Fujii fails to explicitly teach the URL of the electronic document being stored as a contiguous string of data in the apparatus. Kunkel et al. teach a system for accessing information from the Internet through a network such as television (Kunkel et al.: column 1, lines 44-48) similar to that of Fujii. In addition, Kunkel et al. further teach the URL of the electronic document is stored as a contiguous string of data in the apparatus (the URL, which is a continuous string of data, associated with particular Internet information the user wishes to access is stored in the database) (Kunkel et al.: column 2, lines

28-54). It would have been obvious to one of ordinary skill in the art, having the teachings of Fujii and Kunkel et al. before him at the time the invention was made, to modify the user interface for retrieving electronic information of Fujii to include the storing of an entire URL address, taught by Kunkel et al. One would have been motivated to make such a combination in order to reduce the access time associated with obtaining electronic information.

Referring to claim 9, Fujii teaches a remote control device (Figure 1(b)) having access to a data network, the remote control having a programmable user interface to command a piece of equipment to retrieve a document (web site) on the data network via a URL (Fujii: column 2, lines 1-26 and column 5, lines 19-20 and further shown in Figure 1(a)). However, Fujii fails to explicitly teach the URL of the electronic document being stored as a contiguous string of data in the apparatus. Kunkel et al. teach a system for accessing information from the Internet through a network such as television (Kunkel et al.: column 1, lines 44-48) similar to that of Fujii. In addition, Kunkel et al. further teach the URL of the electronic document is stored as a contiguous string of data in the apparatus (the URL, which is a continuous string of data, associated with particular Internet information the user wishes to access is stored in the database) (Kunkel et al.: column 2, lines 28-54). It would have been obvious to one of ordinary skill in the art, having the teachings of Fujii and Kunkel et al. before him at the time the invention was made, to modify the user interface for retrieving electronic information of Fujii to include the storing of an entire URL address, taught by Kunkel et al. One would have been motivated to make such a combination in order to reduce the access time associated with obtaining electronic information.

Referring to claim 10, Fujii teaches a piece of equipment linked to a data network, the piece of equipment programmable to retrieve a document from the network via a URL upon

receipt of a command from a remote control device having a user interface (column 2, lines 1-26 and column 5, lines 19-20 and further shown in Figure 1(a)). However, Fujii fails to explicitly teach the URL of the electronic document being stored as a contiguous string of data in the apparatus. Kunkel et al. teach a system for accessing information from the Internet through a network such as television (Kunkel et al.: column 1, lines 44-48) similar to that of Fujii. In addition, Kunkel et al. further teach the URL of the electronic document is stored as a contiguous string of data in the apparatus (the URL, which is a continuous string of data, associated with particular Internet information the user wishes to access is stored in the database) (Kunkel et al.: column 2, lines 28-54). It would have been obvious to one of ordinary skill in the art, having the teachings of Fujii and Kunkel et al. before him at the time the invention was made, to modify the user interface for retrieving electronic information of Fujii to include the storing of an entire URL address, taught by Kunkel et al. One would have been motivated to make such a combination in order to reduce the access time associated with obtaining electronic information.

Response to Arguments

3. Applicant's arguments filed on 22 March 2004 with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

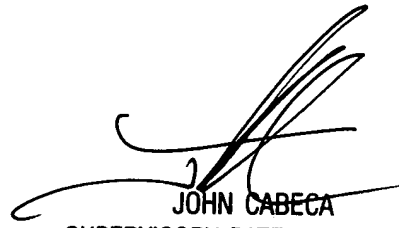
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 6, 2004



JOHN CABECA
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